

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DANIEL COZAD,

Plaintiff,

v.

FISHING COMPANY OF ALASKA,

Defendant.

C06-1607Z

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) Defendant's Motion for Summary Judgment, docket no. 19, is DENIED. Under the Jones Act, negligence is a cause of an injury, if it played any part, however slight, in causing the injury. Ribitzki v. Canmar Reading & Bates, 111 F.3d 658 (9th Cir. 1997)(“This test, often described as a featherweight causation standard, allows a seaman to survive summary judgment by presenting even the slightest proof of causation.”) A vessel's unseaworthiness can arise from the employer's failure to enforce a policy on its vessels. See Caraska v. The State of Washington, 2007 WL 2473456 (Wash. App. Div. 1). There are material issues of fact that preclude summary judgment. Plaintiff's Motion for Summary Judgment, docket no. 27, is also DENIED.

(2) The Court GRANTS the parties' stipulation to continue the trial date, docket no. 28, and now continues the trial date to Wednesday, March 19, 2008, to commence at 9:00 a.m. The Court also extends the discovery period until February 29, 2008, to allow each side to retain one damage expert, for an exchange of reports, and the deposition of such experts.

(3) The Court extends the mediation deadline until February 29, 2008.

(4) Any motion in limine shall be filed by February 29, 2008; any responses shall be filed by March 7, 2008. No replies shall be allowed unless requested by the Court.

1 (5) The Pretrial Order shall be filed by March 7, 2008; the pretrial conference is
2 now set for Thursday March 13, 2008 at 3:00 p.m. Counsel shall be prepared to address
3 motions in limine at the pretrial conference.

4 (6) The Clerk is directed to send a copy of this Minute Order to all counsel of
5 record.

6 Filed and entered this 18th day of January, 2008.

7 BRUCE RIFKIN, Clerk

8 By s/ Claudia Hawney
9 Claudia Hawney
10 Deputy Clerk
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